

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELIGIO RUIZ ORTIZ,
Plaintiff,

v.

STATE OF CALIFORNIA,
Defendant.

Case No. [16-cv-03821-WHO](#) (PR)

ORDER OF DISMISSAL

Dkt. No. 2

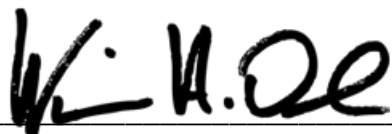
Plaintiff Eligio Ortiz failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$400.00. His IFP application (Dkt. No. 2) lacks several pages of the form, is unsigned, and does not include a Certificate of Funds nor a prison trust account statement. Accordingly, this federal civil rights action is **DISMISSED** without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Ortiz may move to reopen the action. Any such motion **must** contain a complete IFP application, **or** full payment for the \$400.00 filing fee.

Ortiz's IFP application (Dkt. No. 2) is **DENIED** as insufficient.

The Clerk shall terminate Dkt. No. 2, enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: August 16, 2016


WILLIAM H. ORRICK
United States District Judge